

**Minutes of 1309<sup>th</sup> Meeting of the  
Town Planning Board held on 15.12.2023**

**Present**

Permanent Secretary for Development  
(Planning and Lands)  
Ms Doris P.L. Ho

Chairperson

Mr Lincoln L.H. Huang

Vice-chairperson

Mr Wilson Y.W. Fung

Mr Stephen L.H. Liu

Dr C.H. Hau

Ms Sandy H.Y. Wong

Mr Daniel K.S. Lau

Ms Lilian S.K. Law

Mr K.W. Leung

Professor John C.Y. Ng

Professor Roger C.K. Chan

Dr Venus Y.H. Lun

Mr Ben S.S. Lui

Mr Timothy K.W. Ma

Professor Bernadette W.S. Tsui

Director of Lands  
Mr Alan K.L. Lo

Assistant Director (Environmental Assessment)  
Environmental Protection Department  
Mr Terence S.W. Tsang

Chief Engineer (Traffic Survey and Support)  
Transport Department  
Mr W.H. Poon

Chief Engineer (Works)  
Home Affairs Department  
Mr Paul Y.K. Au

Director of Planning  
Mr Ivan M.K. Chung

Deputy Director of Planning/District  
Mr C.K. Yip

Secretary

**Absent with Apologies**

Miss Winnie W.M. Ng

Mr Franklin Yu

Mr Stanley T.S. Choi

Professor Jonathan W.C. Wong

Mr Ricky W.Y. Yu

Dr Conrad T.C. Wong

Mrs Vivian K.F. Cheung

Mr Vincent K.Y. Ho

Mr K.L. Wong

**In Attendance**

Assistant Director of Planning/Board  
Ms Caroline T.Y. Tang

Chief Town Planner/Town Planning Board  
Ms Johanna W.Y. Cheng

Senior Town Planner/Town Planning Board  
Mr Thomas C.S. Yeung

## **Agenda Item 1**

[Open Meeting]

### Confirmation of Minutes of the 1308<sup>th</sup> Meeting held on 1.12.2023

[The item was conducted in Cantonese.]

1. The draft minutes of the 1308<sup>th</sup> meeting held on 1.12.2023 were confirmed without amendment.

## **Agenda Item 2**

[Open Meeting]

### Matters Arising

[This item was conducted in Cantonese.]

- (i) Review on Noise Mitigation for the Proposed Fanling Bypass (Western Section) and Design and Layout of the Proposed Public Housing Development in Wa Shan (MA (i) Paper)

2. The Secretary reported that this matter arising item involved a proposed public housing development (PHD) to be developed by the Hong Kong Housing Authority (HKHA) with the Housing Department (HD) as the executive arm. The proposed PHD was supported by an Engineering Feasibility Study (EFS) conducted by the Civil Engineering and Development Department (CEDD). The following Members had declared interests on the item:

Mr Alan K.L. Lo - being a member of HKHA;  
(as Director of Lands)

Mr Paul Y.K. Au - being a representative of the Director of Home Affairs who was a member of the Strategic Planning Committee and Subsidised Housing Committee of HKHA;  
(as Chief Engineer (Works), Home Affairs Department)

- Dr Conrad T.C. Wong - having current business dealings with HKHA;
- Mr Franklin Yu - being a member of the Building Committee and Tender Committee of HKHA; and
- Dr C.H. Hau - conducting contract research projects with CEDD; being a member of a focus group of CEDD on the study related to the Kau Yi Chau Artificial Islands; and being an adviser to CEDD on the development of New Territories North.

3. Members noted that Dr Conrad T.C. Wong and Mr Franklin Yu had tendered apologies for being unable to attend the meeting. The interests of Messrs Alan K.L. Lo and Paul Y.K. Au were direct and they were invited to leave the meeting temporarily for the item. As Dr C.H. Hau had no involvement in the EFS, Members agreed that he could stay in the meeting.

[Messrs Alan K.L. Lo and Paul Y.K. Au left the meeting temporarily at this point.]

4. The following government representatives were invited to the meeting at this point:

Planning Department (PlanD)

- Ms Margaret H.Y. Chan - District Planning Officer/Shu Tin, Tai Po and North (DPO/STN)

CEDD

- Mr F.S. Sit - Chief Engineer (CE)
- Mr Henry K.Y. Lam - Senior Engineer (SE)

HD

Mr Tony M.H. Leung - Senior Architect (SA)

Ms Lily L.H. Sze - Senior Planning Officer

5. The Chairperson invited the government representatives to brief Members on the review. Ms Margaret H.Y. Chan, DPO/STN, PlanD said that on 3.11.2023, after considering the representations and comment in respect of the draft Fu Tei Au and Sha Ling Outline Zoning Plan (OZP) No. S/NE-FTA/17, the Town Planning Board (the Board) decided not to uphold the representations and agreed that the draft OZP should not be amended. A review was conducted by CEDD and HD as a follow-up to Members' suggestions of addressing traffic noise at source along the Fanling Bypass (Western Section) (FLBP(W)) to the south of the proposed PHD in Wa Shan, Sheung Shui as well as improving the layout and design of the PHD. With the aid of a PowerPoint presentation, Mr Henry K.Y. Lam, SE, CEDD and Mr Tony M.H. Leung, SA, HD briefed Members on the findings of the review, including (i) the proposed construction of two sections of noise barrier on FLBP(W) on both ends of the PHD frontage involving a total length of about 120m; and (ii) an enhanced notional scheme for the PHD with a reduced building height (BH) for the public transport terminus (PTT) block at 35mPD, a better building mass and smaller footprints for the domestic blocks in a more open layout with a central plaza, and a more rational stepped BH ranging from 162mPD in the north to 142mPD in the south (subject to detailed design), as detailed in the MA (i) paper (the Paper).

[Mr Lincoln L.H. Huang and Professor Bernadette W.S. Tsui joined the meeting during the government representatives' presentation.]

6. After the presentation, the Chairperson invited questions from Members. Members expressed appreciation to the concerned government departments for the prompt review and clear improvement to the noise mitigation and layout of the PHD presented to address Members' suggestions. A few Members raised the following questions:

- (a) whether noise mitigation measures in the PHD, such as acoustic windows, would still be required under the enhanced notional scheme and if so, the total cost for the noise mitigation measures;

- (b) any data on the extent of noise reduction and the effectiveness of the revised noise mitigation measures;
- (c) whether the cost comparison had taken into account the cost savings for lower podium and building blocks. With the enhanced building separation and layout, more open space and better livability and air ventilation might also contribute to long term benefits;
- (d) noting that the BH restriction in Fanling North was generally 145mPD and the total plot ratio (PR) was only 6.7, the rationale and gains for adopting a maximum BH of 162mPD for the site, and whether the proposed BH was due to adoption of MiC; and
- (e) since one refuge floor was required even if the BH was 47 storeys, the reason why the BH was not maximised to 50 storeys for cost effectiveness.

7. In response, Mr F.S. Sit, CE, CEDD, Mr Henry K.Y. Lam, SE, CEDD and Mr Tony M.H. Leung, SA, HD made the following main points:

- (a) the construction of the two sections of noise barrier on the FLBP(W) could achieve satisfactory noise mitigation and the adoption of fixed glazing/acoustic windows previously proposed at the PHD was no longer required. The estimated cost for constructing the concerned noise barrier was about HK\$40 million (at September 2023 price);
- (b) according to the initial assessment, all flats in the enhanced notional scheme would not exceed 70dB with construction of the 120m-long noise barrier along FLBP(W);
- (c) MiC would be adopted as far as possible as it saved construction cost and time. For the enlarged and lowered podium, it would be more efficient for the layout of electrical and mechanical services, which would also reduce construction cost and time. By adopting smaller domestic block footprints in the enhanced notional scheme, the indicative layout was enhanced to create a more open

setting and better living environment for future residents, including a central plaza with a podium garden (about 1,300m<sup>2</sup>);

- (d) the site was subject to severe constraints such as site configuration was relatively long and narrow with a few irregular pocket areas. To comply with the building regulations, e.g. prescribed window requirements, a 7-block layout with lower BHs had been explored. However, it was considered that the layout of six Y-shaped blocks at the current proposed BHs at 142mPD, 160mPD and 162mPD would be the optimal scheme, addressing concerns on air ventilation and minimising overlooking; and
- (e) at the detailed design stage, the scheme could be further enhanced with due regard to the BH restriction of 170mPD, taking into account factors such as cost reduction and effectiveness to optimize the site potential.

[Professor Roger C.K. Chan and Ms Sandy H.Y. Wong joined the meeting during the question and answer session.]

8. The Chairperson and Vice-chairperson thanked the concerned government departments for conducting the review promptly to address Members' suggestions. Members generally considered the proposed noise mitigation at source and the enhanced notional scheme acceptable. Although the construction of the two sections of noise barrier on the FLBP(W) would incur an additional HK\$40 million, it would enable a better layout for the PHD with non-quantifiable long-term benefits such as better livability for the residents. The features of the enhanced notional scheme should be incorporated into the planning brief to guide the PHD.

9. The Chairperson thanked the government representatives for attending the meeting, and they left the meeting at this point.

[Mr Alan K.L. Lo rejoined the meeting at this point.]

(ii) Approval of Draft Outline Zoning Plans

10. The Secretary reported that on 5.12.2023, the Chief Executive in Council approved

the draft Kam Tin North Outline Zoning Plan (OZP) (renumbered as S/YL-KTN/11), the draft Yuen Long OZP (renumbered as S/YL/27) and the draft Tai Tong OZP (renumbered as S/YL-TT/20) under section 9(1)(a) of the Town Planning Ordinance. The approval of the OZPs was notified in the Gazette on 15.12.2023.

(iii) Hearing Arrangement for Consideration of Representations on Draft Outline Zoning Plans

11. The Secretary reported that the item was to seek Members' agreement on the hearing arrangement for consideration of representations in respect of (i) the draft South Lantau Coast Outline Zoning Plan (OZP) No. S/SLC/22; and (ii) the draft Ma On Shan OZP No. S/MOS/27.

12. The Secretary reported that some amendments to the South Lantau Coast OZP were supported by the Ecological Study for Pui O, Shui Hau, Tai O and Neighbouring Areas – Feasibility Study commissioned by the Civil Engineering and Development Department (CEDD), and some were related to facilities provided by the Drainage Services Department (DSD) and the Water Supplies Department (WSD). Representations had been submitted by the Conservancy Association (CA) (R18) and the Hong Kong Bird Watching Society (HKBWS) (R19). The following Members had declared interests on the item:

Dr C.H. Hau - conducting contract research projects with CEDD; being a member of a focus group of CEDD on the study related to the Kau Yi Chau Artificial Islands; being an adviser to CEDD on the development of New Territories North; having business dealings with WSD; being a member of HKBWS, a life member of the CA and his spouse being the Vice-chairman of the Board of Directors of the CA;

Mr K.W. Leung - being a former Executive Committee member of HKBWS and the former Chairman of Crested Bulbul Club Committee of HKBWS; and

Dr Conrad T.C. Wong - having current business dealings with DSD and WSD.

13. As the item for seeking the Town Planning Board (the Board)'s agreement on the hearing arrangement for the two OZPs was procedural in nature, all Members who had declared interests could stay in the meeting.

14. The Secretary introduced the details as below:

(a) on 15.9.2023, the draft South Lantau Coast OZP was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). During the two-month exhibition period, 736 representations were received. There were four representations made with identity information missing and two representations made out-of-time, which should be considered as invalid and treated as not having been made. The number of valid representations was 730; and

(b) on 15.9.2023, the draft Ma On Shan OZP was exhibited for public inspection under section 5 of the Ordinance. During the two-month exhibition period, six valid representations were received.

15. The Secretary reported that in view of the similar nature of the representations, the hearings of all valid representations were recommended to be considered by the full Board collectively in one group for the respective OZP. To ensure efficiency of the hearings, a maximum of 10 minutes presentation time would be allotted to each representer in the hearing sessions. Considerations of the representations by the full Board of the two OZPs were tentatively scheduled for February 2024.

16. After deliberation, the Board agreed to the respective hearing arrangement in paragraph 15 above.

(iv) New Town Planning Appeal Received

Town Planning Appeal No. 3 of 2023

Temporary Warehouse for Storage of Construction Equipment for a Period of 3 Years in “Village Type Development” Zone, Lot 936 in D.D. 118, No.66 Nam Hang Tsuen, Yuen Long

Application No. A/YL-TT/578

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17. The Secretary reported that a Notice of Appeal was received by the Appeal Board Panel (Town Planning) on 14.11.2023 against the decision of the Town Planning Board (the Board) on 15.9.2023 to reject on review an application (No. A/YL-TT/578) for temporary warehouse for storage of construction equipment for a period of three years at the site zoned “Village Type Development” (“V”) on the approved Tai Tong Outline Zoning Plan.

18. The review application was rejected by the Board for the following reasons:

(a) the applied use was not in line with the planning intention of the “V” zone, which was primarily for development of Small Houses by indigenous villagers. No strong planning justifications had been given in the submission for a departure from the planning intention, even on a temporary basis; and

(b) the applied use was not compatible with the surrounding residential character.

19. Members noted that the hearing date of the appeal had yet to be fixed and agreed that the Secretary would act on behalf of the Board in dealing with the appeal in the usual manner.

(v) Appeal Statistics

20. The Secretary reported that as at 6.12.2023, a total of five cases had yet to be heard by the Town Planning Appeal Board and five decisions were outstanding.

21. Details of the appeal statistics were as follows:

Allowed	44
Dismissed	172
Abandoned/Withdrawn/Invalid	213
Yet to be Heard	5
Decision Outstanding	5
Total	439

### **Kowloon District**

#### **Agenda Item 3**

[Open Meeting (Presentation and Question Sessions only)]

Consideration of Further Representations on the Proposed Amendments to the Draft Urban Renewal Authority Ming Lun Street/Ma Tau Kok Road Development Scheme Plan No. S/K22/URA1/1 and the Proposed Amendments to the Draft Urban Renewal Authority To Kwa Wan Road/Ma Tau Kok Road Development Scheme Plan No. S/K22/URA2/1 Arising from the Consideration of Representations and Comments on the respective Draft Development Scheme Plan

(TPB Paper No. 10946)

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[The item was conducted in Cantonese.]

22. The Secretary reported that the Item involved two sites located in the Draft Urban Renewal Authority Ming Lun Street/Ma Tau Kok Road Development Scheme Plan No. S/K22/URA1/1 (KC-018 DSP) and the Draft Urban Renewal Authority To Kwa Wan Road/Ma Tau Kok Road Development Scheme Plan No. S/K22/URA2/1 (KC-019 DSP). Representations were submitted by the Hong Kong and China Gas Company Limited (Towngas), a subsidiary of Henderson Land Development Company Limited (HLD) (R244 of KC-018 DSP and R3 of KC-019 DSP). Besides, a representation was submitted by Kum Shing Group Limited (R2 of KC-019 DSP). Urban Renewal Authority (URA) (C1 of both KC-018 DSP and KC-019 DSP) had also submitted comments on the DSPs. The following Members had declared interests on the item:

- Mr Ivan M.K. Chung ] being a non-executive director of the URA  
(as Director of Planning) Board and a member of its Committee;
- Mr Alan K.L. Lo ]
- (as Director of Lands)
- Mr Timothy K.W. Ma - being a member of the Land, Rehousing and  
Compensation Committee and Development  
Project Objection Consideration Committee  
of URA, and a director of the Board of the  
Urban Renewal Fund;
- Dr Conrad T.C. Wong - having current business dealings with URA  
and Build King – Kum Shing Joint Venture;  
his companies owning four properties in Ma  
Tau Kok and his close relative owning a  
property in Kowloon City;
- Mr Lincoln L.H. Huang - being a former Vice-chairman of the Appeal  
Board Panel of URA;
- Mr Ben S.S. Lui - being a former Executive Director of URA;
- Mr Ricky W.Y. Yu ] being a former director of the Board of the  
Mr Wilson Y.W. Fung ] Urban Renewal Fund;  
Ms Lilian S.K. Law ]
- Mr K.L. Wong - previously had discussion with the  
Development Bureau (DEVB) on the use of a  
site to the immediate north of Site KC-019  
for dedicated rehousing estate development  
by the Hong Kong Housing Society (HKHS);
- Miss Winnie W.M. Ng - her company owning two properties in Ma  
Tau Kok;

- Dr C.H. Hau - being an employee of the University of Hong Kong (HKU) which had received donation from a family member of the Chairman of HLD before, and having past business dealings with HLD;
- Mr Stephen L.H. Liu - being a former member of the Council of the Hong Kong Polytechnic University which had obtained sponsorship from HLD before;
- Professor Bernadette W.S. Tsui - being a former employee of HKU which had received donation from HLD before; and
- Mr Vincent K.Y. Ho - having current business dealings with HLD.

23. Members noted that Messrs Vincent K.Y. Ho, Ricky W.Y. Yu, Miss Winnie W.M. Ng and Dr Conrad T.C. Wong had tendered apologies for being unable to attend the meeting. The interests of Messrs Ivan M.K. Chung, Alan K.L. Lo and Timothy K.W. Ma were direct and they were invited to leave the meeting temporarily for the item. As the interests of Messrs Lincoln L.H. Huang, Stephen L.H. Liu, Dr C.H. Hau and Professor Bernadette W.S. Tsui were indirect and Messrs Ben S.S. Lui, Wilson Y.W. Fung, K.L. Wong and Ms Lilian S.K. Law had no involvement in the DSPs or submission of the relevant representations and comments, Members agreed that they could stay in the meeting.

[Messrs Ivan M.K. Chung, Alan K.L. Lo and Timothy K.W. Ma left the meeting temporarily and Mr Paul Y.K. Au rejoined the meeting at this point.]

#### Presentation and Question Sessions

24. The Chairperson said that the further hearings in respect of the two DSPs would be held collectively and notifications had been given to the further representers and the related representers/commenter inviting them to attend the hearing, but other than those who were present or had indicated that they would attend the hearing, the rest had either indicated not to

attend or made no reply. As reasonable notice has been given to the further representers and the related representers/commenter, Members agreed to proceed with the hearing of the further representations and related representations/comments in their absence.

25. The following representatives of the Planning Department (PlanD), further representers, related representers/commenter and their representatives were invited to the meeting at this point:

**PlanD's Representatives**

Mr Ernest C.M. Fung - Senior Town Planner/Kowloon (STP/K)

Ms Joyce L.M. Lee - Town Planner/Kowloon

**Further Representers, Related Representers/Commenter and their Representatives**

F5 of KC-018 DSP and KC-019 DSP - 李耀榮

Ms Li Wai Ling - Further Representer's Representative

F11 of KC-018 DSP and KC-019 DSP - 何秀琴

Ms Ho Sau Kam - Further Representer

F13 of KC-018 DSP and KC-019 DSP - 羅德光

Mr Law Tak Kwong - Further Representer

F18 of KC-018 DSP and KC-019 DSP - 鄭少萍

Ms Cheng Siu Ping - Further Representer

F22 of KC-018 DSP and KC-019 DSP - 丘枚正

Ms Chan So Nui - Further Representer's Representative

F26 of KC-018 DSP and F27 of KC-019 DSP - 袁聖佩

Ms Yuan Sheng Pai - Further Representer

F27 of KC-018 DSP and F28 of KC-019 DSP - 何冠球

Mr Ho Kwun Kau - Further Representer

F33 of KC-018 DSP and F35 of KC-019 DSP - 招豪昌

Ms Chan Lai Cheung - Further Representer's Representative

F37 of KC-019 DSP - Hong Kong Kowloon City Industry and Commerce Association

F38 of KC-019 DSP - Kima Enterprise Limited

F39 of KC-019 DSP - Wong's Holding Limited

Mr Law Wai Man Raymond - Further Representers' Representative

R123 of KC-018 DSP - 李柏儀

Ms Lee Pak Yee Bowie - Related Representer

R165 of KC-018 DSP - Ho Cho Yan (何楚欣)

Ms To Yuk Yee - Related Representer's Representative

R236 of KC-018 DSP - 馬頭角道 113 號及明倫街 25 號業主立案法團

Mr Kwong Ka Yiu - Related Representer's Representative

C1 of KC-018 DSP and KC-019 DSP - Urban Renewal Authority

Mr Mike Y.F. Kwan ]

Ms Clarice N.S. Ho ] Related Commenter's Representatives

Ms Li Yee Ting ]

26. The Chairperson extended a welcome. She then briefly explained the procedures of the hearing. She said that PlanD's representatives would be invited to brief Members on the further representations. The further representers, related representers/commenter and their representatives would then be invited to make oral submissions. To ensure efficient operation of the hearing, each further representer, related representer/commenter and their representative would be allotted 10 minutes for making presentation. There was a timer device to alert the further representers, related representers/commenter and their representatives two minutes

before the allotted time was to expire, and when the allotted time limit was up. A question and answer (Q&A) session would be held after the further representers, related representers/commenter and their representatives had completed their oral submissions. Members could direct their questions to the government representatives or the further representers, related representers/commenter and their representatives. After the Q&A session, the government representatives, the further representers, related representers/commenter and their representatives would be invited to leave the meeting. The Town Planning Board (the Board) would then deliberate on the further representations in their absence and inform the further representers and related representers/commenter of the Board's decision in due course

27. The Chairperson invited PlanD's representatives to brief Members on the further representations. With the aid of a PowerPoint presentation, Mr Ernest C.M. Fung, STP/K, PlanD briefed Members on the further representations, including the background of the Board's decision at the hearing held on 15.9.2023 to partially meet some representations and proposed amendments to the draft DSP No. S/K22/URA1/1 (KC-018 DSP) and No. S/K22/URA2/1 (KC-019 DSP), the grounds/views of the further representations and PlanD's views on the further representations as detailed in TPB Paper No. 10946 (the Paper). The proposed amendments were to amend the plot ratio (PR) restrictions for "Residential (Group A)" ("R(A)") zone for both DSPs (i.e. a maximum PR of 6.5 for a domestic building or maximum PR of 7.5 for a building that was partly domestic and partly non-domestic and under no circumstances should the PR for the domestic part of any building exceed 6.5).

28. The Chairperson then invited the further representers, related representers/commenter or their representatives to make their presentations.

F22 of KC-018 DSP and KC-019 DSP - 丘校正

29. Ms Chan So Nui made the following main points:

- (a) it was her second time attending the hearing meeting. She supported the redevelopment with new buildings at the two DSPs;
- (b) the existing buildings within "5-Street" were in dilapidated conditions and

needed to be redeveloped urgently; and

- (c) she urged Members to accede to their requests and understand their needs, and the Government to approve the DSPs so that they could move out before the next typhoon season and no longer needed to suffer.

F26 of KC-018 DSP and F27 of KC-019 DSP - 袁聖佩

30. Ms Yuan Sheng Pai made the following main points:

- (a) she was an owner of a property in “5-Street” and had been living there for about 30 years. The area had great redevelopment potential given its waterfront location and good accessibility with sufficient public transport facilities and supporting retail facilities. Grand Waterfront was located to the south and the Kai Tak development nearby was undergoing rapid development;
- (b) about 85% of owners in “5-Street” had agreed and signed supportive letters to URA. “5-Street” should be redeveloped without further delay; and
- (c) she also supported redevelopment of the Newport Centre for bringing overall improvement to the area with better planning. She urged DEVB to approve the DSPs so that URA could offer the purchase price to them as soon as possible so as to improve their living conditions.

[Mr Wilson Y.W. Fung left the meeting during the presentation of Ms Yuan Sheng Pai.]

F27 of KC-018 DSP and F28 of KC-019 DSP - 何冠球

31. Mr Ho Kwun Kau made the following main points:

- (a) he was an owner of a property in “5-Street” where the buildings aged more than 60 years were in dilapidated conditions; and
- (b) he was content with URA acquiring his property and also supported the

redevelopment of Newport Centre.

F37 of KC-019 DSP - Hong Kong Kowloon City Industry and Commerce Association

F38 of KC-019 DSP - Kima Enterprise Limited

F39 of KC-019 DSP - Wong's Holding Limited

32. With the aid of a PowerPoint presentation, Mr Law Wai Man Raymond made the following main points:

- (a) he also represented two further representers (F38 and F39) who were existing operators in Newport Centre. They objected to the proposed amendment to the PR restriction of the “R(A)” zone covering Newport Centre as it did not specify a minimum PR/gross floor area (GFA) for non-domestic use, and proposed the Board to amend the Notes to stipulate a non-domestic PR of 2 or 3. Otherwise, the requirement to ensure priority for the non-domestic floor area to accommodate the affected operators should be included in the Explanatory Statement of the DSP;
- (b) new developments/redevelopments in Kai Tak, To Kwa Wan and Ma Tau Kok would bring a lot of people to the area in future and there was a great demand for business and non-domestic uses, including retail and food and beverages (F&B) uses;
- (c) the Sites KC-018 and KC-019 fell within the Kak Tak OZP but were physically located in Ma Tau Kok area where the maximum total PR in “R(A)” zones was higher than 7.5. It was questionable why the total PR of the DSP sites could not be increased to 8.5 as the as-built Grand Waterfront or 9 as in other “R(A)” zones in Ma Tau Kok;
- (d) URA asked for flexibility to allow an additional 0.5 non-domestic PR (i.e. total 1.5 PR for non-domestic use) but that would not be sufficient to allow the current business operators at Newport Centre (with existing PR of about 5) to return after redevelopment. There was also no information nor policy to ensure that affected operators would be allowed to return to operate after the

redevelopment;

- (e) the returning operators would not create nuisance to future residents. The business they might engage in included office, handicraft shop, electric vehicle charging station, etc.;
- (f) due to the acute demand for housing, URA would unlikely give up the domestic PR for non-domestic uses; and
- (g) URA should be asked to assess whether their proposal for a non-domestic PR of 2 to 3 was technically feasible.

R123 of KC-018 DSP - 李柏儀

33. Ms Lee Pak Yee Bowie made the following main points:

- (a) she supported the redevelopment of “5-Street” and believed that the redevelopment could beautify the waterfront and improve the environment of the old district; and
- (b) Sites KC-018 and KC-019 should be redeveloped together so as to resolve the traffic congestion and flooding problems. She urged the Board to approve the DSPs.

R236 of KC-018 DSP - 馬頭角道 113 號及明倫街 25 號業主立案法團

34. Mr Kwong Ka Yiu made the following main points:

- (a) the proposed amendment to allow flexibility for higher non-domestic PR was supported as URA needed not apply to the Board for any amendment to the non-domestic PR, and that would expedite the redevelopment process. An increase in non-domestic PR would allow some existing operators to return;

- (b) the two DSPs should be implemented together to maximise the overall benefits to the district. The waterfront plaza, waterfront promenade and road widening in the DSP sites could be implemented, even though the southern extension of the waterfront promenade towards Grand Waterfront through the pier used by towngas might require further liaison; and
- (c) the DSPs should be approved so that URA could offer the purchase price to the affected owners as soon as possible.

C1 of KC-018 DSP and KC-019 DSP - Urban Renewal Authority

35. With the aid of a PowerPoint presentation, Ms Li Yee Ting made the following main points:

- (a) the major planning gains of the two DSPs included provision of a 20m-wide waterfront promenade, a 2-storey retail belt abutting the waterfront promenade, a minimum 20m-wide waterfront plaza for public enjoyment, building setback for To Kwa Wan Road widening and Government, institution and community facilities (equivalent to 1,500m<sup>2</sup> GFA);
- (b) on 15.9.2023, the Board proposed amendments to the DSPs to partially uphold some representations by allowing a maximum PR of 7.5 with a maximum domestic PR of 6.5;
- (c) the supportive further representations were noted. The proposed maximum PR restriction of 7.5 was in line with the residential densities in Kai Tak Development and was the same as that for the adjoining dedicated rehousing estate under development by HKHS;
- (d) URA and their service team had actively approached all affected residents and business operators who were willing to be contacted to understand their concerns on redevelopment, operation needs and relocation requirements since commencement of the projects; and

- (e) the proposed amendments would provide flexibility in determining the mix of domestic and non-domestic PRs, that would allow for a potential increase in non-domestic PR to accommodate returning business operators (if needed) provided that the businesses were compatible with residential use and the waterfront setting. As such, specification of a non-domestic PR as suggested by some further representers was considered not necessary. The actual need for non-domestic floor space to accommodate the returning business operators would be determined through further communication with the affected stakeholders after approval of the DSPs.

36. As the presentations of PlanD's representative, the further representers, related representers/commenter and their representatives had been completed, the meeting proceeded to the Q&A session. The Chairperson explained that Members would raise questions to the further representers, related representers/commenter and their representatives and/or the government representatives. The Q&A session should not be taken as an occasion for the attendees to direct questions to the Board nor for cross-examination between parties.

#### *Returning Business Operators*

37. Two Members asked the following questions:

- (a) the non-domestic floor spaces required to accommodate the existing business operators of Newport Centre who wished to return after the redevelopment;
- (b) whether URA would adjust the non-domestic PR of 1.5 if more business operators wished to return;
- (c) to elaborate on URA's arrangement for the returning business operators to address the concerns raised by the representative of F37 to F39 of KC-019 DSP; and
- (d) whether there was any arrangement for other business operators in "5-Street" but outside Newport Centre, e.g. vehicle repairing workshop, etc.

38. In response, Mr Mike Y.F. Kwan, representative of C1 of KC-018 DSP and KC-019 DSP, made the following main points:

- (a) according to their Social Impact Assessment Report (Second Stage), there were 64 business operators in Newport Centre - four retail shops, 22 offices, one service provider, 17 industrial workshops, six other types of operators and 14 operators who did not disclose their operations. As the KC-019 site was zoned “R(A)” and intended for residential use, those incompatible industrial workshops would not be allowed to return. Hence, at most, about half of the business operators, such as offices, showroom, etc., could return;
- (b) URA had approached all operators via their Project Engagement Programme and so far not many business operators indicated that they would return, and some of them were not willing to meet or were not in Hong Kong. Based on the current information, it was estimated that a total non-domestic PR of 1.5 (about 27,480 m<sup>2</sup>) should be sufficient for accommodating the returning business operators and other commercial uses. There was also a lot of alternative supply of non-domestic floor space in the Core Business District 2 areas, such as Ngau Tau Kok, Kwun Tong and URA’s Kwun Tong Town Centre Project. The actual demand for non-domestic floor space from the existing operators would be more concrete after URA offered the price and compensation package upon approval of the DSPs by the Chief Executive in Council. The estimated non-domestic PR of 1.5 might be adjusted, if needed, according to the actual demand;
- (c) a special team run by independent social workers under URA’s Project Engagement Programme had approached all business operators to explain to them about the redevelopment, compensation and possible returning arrangements; and
- (d) vehicle repair workshop was neither a Column 1 nor Column 2 use in the “R(A)” zone and would not be allowed to return after the redevelopment. Those uses would need to relocate to industrial areas. In addition, there were only a few F&B and retail business operators in “5-Street” and they had not requested to

return. The business operators in “5-Street” (KC-018) would be handled according to their existing mechanism and no floor space would be reserved, but there was a lot of vacant retail floor space in the area, including at Grand Waterfront. The Newport Centre, involving an existing industrial building, was a special case where they would consider accommodating the returning business operators, subject to URA Board’s approval.

39. Mr Law Wai Man Raymond, representative of F37 to F39 of KC-019 DSP, responded that the existing GFA of Newport Centre was about 300,000 ft<sup>2</sup>. If half of the business operators were to return, the remaining GFA of 150,000 ft<sup>2</sup> might not be sufficient for F&B and retail uses as many people would be attracted to the Kai Tak Sports Park and waterfront developments nearby. URA might reduce the floor spaces for returning business operators in Newport Centre and increase the floor spaces for more housing units or higher rental commercial uses. Hence, they proposed to increase the total PR to 8.5 to 9 and to stipulate a specific and higher non-domestic PR for returning business operators of Newport Centre. URA should conduct technical assessment to test whether the said proposal was technically feasible.

*Restriction on Non-domestic PR*

40. The Chairperson and some Members raised the following questions:

- (a) the maximum non-domestic PR that could be developed at KC-019 with the proposed amendments to the PR restrictions;
- (b) given the close proximity of the DSP sites to the Kai Tak Sports Park and the waterfront promenade, whether URA had undertaken any retail viability study to ascertain the demand for non-domestic floor space;
- (c) whether non-domestic uses above the lowest three floors were permitted under the “R(A)” zone; and
- (d) the information on non-domestic PRs of developments in Kai Tak Development.

41. In response, Mr Mike Y.F. Kwan, representative of C1 of KC-018 DSP and KC-019 DSP, made the following main points:

- (a) the proposed PR restrictions provided flexibility for URA to determine the non-domestic PRs for the redevelopments and even for a totally non-domestic development at a PR of 7.5. Hence, there was no need to specify a specific and higher non-domestic PR as recommended by the representative of F37 to F39 of KC-019 DSP;
- (b) for F&B and retail components, a waterfront plaza with retail and F&B uses and a retail belt facing the waterfront were proposed to echo with the dining cove concept planned to the north of the KC-019 site in the Kai Tak Development. According to the indicative scheme, the ground and first floors were reserved for retail and F&B uses;
- (c) as retail and F&B uses would mainly be located on the lowest two floors, the higher non-domestic floors would be reserved for business, showroom, etc. which might accommodate returning business operators. Hence, the provision of retail use in the development would not affect the floor area to be reserved for returning business operators. However, since the redevelopment would take about eight to nine years to complete, it would be an important consideration for business operators on whether they would return or relocate elsewhere; and
- (d) under the “R(A)” zone, commercial uses were permitted on the lowest three floors or within the purpose designed non-residential portion of a building, and the latter might be above the lowest three floors.

42. The Secretary supplemented that although the proposed amendment allowed flexibility for URA to provide a higher non-domestic PR, the planning intention for the “R(A)” zone under the KC-019 DSP was primarily for a high-density residential development with commercial uses allowed in certain floors/portion of the development.

43. Mr Ernest C.M. Fung, STP/K, PlanD said that the PR restrictions for the private

housing developments in “R(A)” zones near Sung Wong Toi Station and that for the dedicated rehousing estate to the north of KC-019 in Kai Tak Development was 7.5 (i.e. 6.5 for domestic and 1 for non-domestic). The domestic and non-domestic PRs for public housing developments in “R(A)” zones near Sung Wong Toi Station were 6.5 and 0.1. The proposal to increase the total PR to 8.5 as proposed by the representative of F37 to F39 of KC-019 DSP, required further assessments on whether it was technically feasible. For Grand Waterfront, the development had a total PR of 8.5 and a building height of 176 mPD, which was 50m taller than the DSP schemes.

*Others*

44. Two Members asked the following questions:

- (a) whether URA had considered provision of non-domestic uses, e.g. supermarket, clinic and hair salon shop, to serve the local residents; and
- (b) details of URA’s Project Engagement Programme.

45. Mr Mike Y.F. Kwan, representative of C1 of KC-018 DSP and KC-019 DSP, made the following main points:

- (a) the non-domestic uses in the DSPs, including retail and F&B uses, in the lower floors and the retail belt would also serve the needs of local residents; and
- (b) URA has started the Project Engagement Programme some four years ago. It was conducted by a team of independent social workers, who would proactively reach out to those affected by URA’s urban renewal projects to provide updated and accurate information on compensation, rehousing, etc. to alleviate their worries and avoid misunderstanding.

46. As Members had no further questions to raise, the Chairperson said that the Q&A session was completed. She thanked the government representatives, further representers, related representers/commenter and their representatives for attending the meeting. The Board would deliberate on the further representations in closed meeting and would inform the

further representers and related representers/commenter of the Board's decision in due course. The government representatives, further representers, representers/commenter and their representatives left the meeting at this point.

### Deliberation Session

47. The deliberation session was recorded under confidential cover.

## **Hong Kong District**

### **Agenda Item 4**

[Open Meeting (Presentation and Question Sessions only)]

Consideration of Representation and Comment in respect of the Draft Chai Wan Outline Zoning Plan No. S/H20/26

(TPB Paper No. 10947)

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[The item was conducted in Cantonese and English.]

48. The Secretary reported that the amendments to the draft Chai Wan Outline Zoning Plan (OZP) mainly involved a proposed public housing development to be developed and a public housing development completed by the Hong Kong Housing Authority (HKHA), with the Housing Department (HD) as the executive arm. The proposed public housing development was supported by an Engineering Feasibility Study (EFS) conducted by the Civil Engineering and Development Department (CEDD), with AECOM Asia Company Limited (AECOM) as one of the consultants of the EFS. The following Members had declared interests on the item:

Mr Alan K.L. Lo - being a member of HKHA;  
(as Director of Lands)

Mr Paul Y.K. Au - being a representative of the Director of Home  
(as the Chief Engineer (Works), Affairs who was a member of the Strategic  
Home Affairs Department) Planning Committee and the Subsidized  
Housing Committee of HKHA;

- |                     |  |
|---------------------|--|
| Mr Franklin Yu      | - being a member of the Building Committee and the Tender Committee of HKHA;   |
| Dr Conrad T.C. Wong | - having current business dealings with HKHA and AECOM;  |
| Mr Vincent K.Y. Ho  | - having current business dealings with AECOM; and   |
| Dr C.H. Hau         | - conducting contract research projects with CEDD; being a member of a focus group of CEDD on the study related to the Kau Yi Chau Artificial Islands; and being an adviser to CEDD on the development of New Territories North. |

49. Members noted that Messrs Franklin Yu and Vincent K.Y. Ho and Dr Conrad T.C. Wong had tendered apologies for being unable to attend the meeting and Mr Alan K.L. Lo had left the meeting temporarily. As the interest of Mr Paul Y.K. Au was direct, he was invited to leave the meeting temporarily for the item. As Dr C.H. Hau had no involvement in the proposed public housing development, Members agreed that he could stay in the meeting.

[Mr Paul Y.K. Au left the meeting temporarily and Messrs Ivan M.K. Chung and Timothy K.W. Ma rejoined the meeting at this point.]

#### Presentation and Question Sessions

50. The following government representatives and presenter/commenter was invited to the meeting at this point:

#### **Government Representatives**

##### Planning Department (PlanD)

- |                    |                                       |
|--------------------|---------------------------------------|
| Mr Rico W.K. Tsang | - District Planning Officer/Hong Kong |
|--------------------|---------------------------------------|

(DPO/HK)

Mr Harvey T.H. Law - Town Planner/Hong Kong

HD

Ms Emily W.M. IP - Senior Planning Officer (SPO)

Ms Vivian W.M. Law - Architect

Mr Jimmy C.H. Ho - Civil Engineer

Ms Ada W.Y. Tam - Planning Officer

CEDD

Mr K.H. Tao - Project Team Leader (PTL)

Mr Terry T.L. Kea - Senior Engineer

Mr Ryan H.F. Kwok - Engineer

Mr Tony W.K. Lin - Senior Engineer, South Development Office (SDO)

Mr Tony C.F. Lau - Project Coordinator, SDO

CEDD's Consultant

Mr Igor Ho ] AECOM

Ms Abby Lau ]

**Representer/Commenter**

R1 / C1 - Mary Mulvihill

Ms Mary Mulvihill - Representer and Commenter

51. The Chairperson extended a welcome. She then briefly explained the procedures of the hearing. She said that PlanD's representatives would be invited to brief Members on the representation and comment. The representer/commenter would then be invited to make an oral submission. To ensure efficient operation of the hearing, the representer/commenter would be allotted 10 minutes for making presentation. There was a timer device to alert the

representor/commenter two minutes before the allotted time was to expire, and when the allotted time limit was up. A question and answer (Q&A) session would be held after the representor/commenter had completed her oral submission. Members could direct their questions to the government representatives or the representor/commenter. After the Q&A session, the government representatives and the representor/commenter would be invited to leave the meeting. The Town Planning Board (the Board) would then deliberate on the representation and comment in their absence and inform the representor/commenter of the Board's decision in due course.

52. The Chairperson invited PlanD's representatives to brief Members on the representation and comment. With the aid of a PowerPoint presentation, Mr Rico W.K. Tsang, DPO/HK, PlanD briefed Members on the representation and comment, including the background of the amendments to the OZP, the grounds/views of the representor and commentor, planning assessments and PlanD's views on the representation and comment as detailed in TPB Paper No. 10947 (the Paper). The main amendments were:

- (a) Item A – rezoning of a site to the south of Chai Wan Swimming Pool from “Green Belt” (“GB”) and “Government, Institution or Community” to “Residential (Group A)” (“R(A)”) with stipulation of building height restriction (BHR) for a public housing development by HKHA; and
- (b) Item B – rezoning of a site to the immediate west of the Mass Transit Railway Chai Wan Station from “Comprehensive Development Area” to “R(A)” with stipulation of BHR to reflect the completed in-situ conversion of the ex-Chai Wan Factory Estate for public rental housing development.

53. The Chairperson then invited the representor/commenter to elaborate on her representation/comment.

R1/C1 - Mary Mulvihill

54. Ms Mary Mulvihill said that the paper on the website did not include responses to the grounds of her representation and comment and she did not have the chance to read the Paper nor evaluate the responses before the meeting. She then made the following main points

on Item A:

- (a) she strongly objected to Item A as there would be a considerable loss of green belt area and a community recreational space, which turned a once pleasant green area into another wall of tall towers;
- (b) the claimed demand for housing land was being abused to undermine the quality of living in the area. The very tall towers would create a wall effect that would wipe out views of the ridgeline and the green panorama currently enjoyed by the local residents. The large podium structure and towers would impact the penetration of ventilation from the mountain side to the residential areas;
- (c) there was a shocking loss of more than 1,162 trees, and according to the Paper, only 24 new trees would be compensated and three trees of particular interest would be transplanted. The loss of some 1,140 trees was a major concern. There was only vague reference to compensatory tree planting with no details, and according to the notional scheme, the site would mostly be covered by a large podium with limited space for planting trees;
- (d) according to the submitted report, in addition to the loss of trees, the loss of vegetation and flora associated with the mixed woodland habitat was unavoidable upon development;
- (e) the importance of the watercourse had been played down even though it had moderate ecological value given its naturalness and its value to a few fauna species of conservation importance;
- (f) it was indicated that for preservation of the mixed woodland habitat to allow a linkage for the wildlife across different wooded habitats, an ecological corridor with a minimum width of 15m south of the site would be maintained. It was considered not acceptable as there would be inadequate measures to address the light and noise pollution from the proposed development;
- (g) the site was located on a sloping terrain with a level difference of about 50m.

Members should not accept that the technical assessments under the EFS had demonstrated no insurmountable technical problems arising from the development proposal. Easier access to main roads and transport should not be the overriding consideration;

- (h) the plot ratio (PR) was excessive and would be much higher if the Government, institution and community facilities exempted from gross floor area calculation were taken into account. The equivalent total PR would be close to 10;
- (i) instead of using the site for an extensive public recreation zone set in a green backdrop, the proposed skateboard ground near public housing estates would bring noise complaints, especially in the evening;
- (j) there was no justification for developing so many units given that the abuse of public housing units had not been addressed; and
- (k) there was no incentive for public housing residents to downsize when family members moved out. The outdated development model was not in sync with the emerging conditions of shrinking population in Mainland and Hong Kong.

55. As the presentations of PlanD's representative and the representer/commenter had been completed, the meeting proceeded to the Q&A session. The Chairperson explained that Members would raise questions to the representer/commenter and/or the government representatives. The Q&A session should not be taken as an occasion for the attendees to direct questions to the Board nor for cross-examination between parties.

56. In response to a Member's question, the Secretary said that the paper for proposed amendments to the OZP considered by the Metro Planning Committee (MPC) was available on the Board's website and the link was stated in footnote 5 of the Paper.

57. Two Members raised the following questions:

*Tree Compensation*

- (a) regarding the three trees of particular interest found in the Amendment Item A site, it was indicated in the Paper that two *Artocarpus hypargyreus* (白桂木) would be transplanted to the reprovisioning site of the skateboard ground. What the proposal for the remaining one, i.e. *Ficus virens* (大葉榕), was, and the existing condition and size of the *Artocarpus hypargyreus* (白桂木);
- (b) according to the presentation, about 1,162 trees would be affected and about 117 new trees would be planted (including the compensatory tree planting). The tree compensation ratio was far below 1:1, and the loss of habitat in the natural woodland was not compensated. Whether there was any information on the site at Mount Davis proposed for off-site tree compensation;
- (c) any details of ‘slope greening’ shown in Plan H-6, and whether the ‘slope greening’ was counted into the 20% greening ratio;
- (d) whether there was a possibility to retain and revive the woodland function after development; and
- (e) clarification on the site/estate boundary and white and green features shown on Plans H-4a and H-6 of the Paper.

58. In response, with the aid of some PowerPoint slides, Mr Rico W.K. Tsang, DPO/HK, PlanD, Mr K.H. Tao, PTL, CEDD, Ms Emily W.M. IP, SPO, HD and Mr Igor Ho, CEDD’s Consultant, made the following main points:

#### *Tree Compensation*

- (a) the *Ficus virens* (大葉榕) was located at the proposed main access to the public housing. In view of its size, i.e. with the trunk having a diameter of more than one metre, transplanting was not feasible. The *Artocarpus hypargyreus* (白桂木) were about 5 to 7m tall and their tree canopies were about 3 to 7m wide;
- (b) an open area within the Mount Davis Battery (with an area of 0.32 ha) was the

possible location for off-site tree compensation being considered. Since the battery was a Grade 2 historic building, an assessment had to be conducted to determine whether trees could be planted on the site without affecting the structures with historic significance and, if so, the number of trees that could be planted under such constraint. For normal site with similar area, about 1,000 trees could be planted. However, even if the open area was found to be suitable for tree planting, it might not be possible to achieve the normal figure because of the need to avoid affecting structures of historic significance;

- (c) for the public housing site, a minimum of 20% overall green coverage would be provided as per prevailing requirements. The 'slope greening' area shown in the landscape conceptual plan in Plan H-6 of the Paper as extracted from consultancy report was a formed slope after site formation. Should the slope area be eventually formed part of the future public housing site boundary and under the maintenance of Housing Authority, HD would consider suitable planting thereat and include it in the greening ratio. Although the type of vegetation/trees to be planted there was uncertain at the moment, the project team would take note of Members' view for planting the right trees at the right place at detailed design stage and would take into account the biodiversity and the habitat loss as far as practicable;
- (d) the project team noted Members' view on the woodland function and would try to maintain connection to the adjacent woodland as far as practicable at detailed design stage; and
- (e) the white circles shown on Plan H-6 of the Paper were the spot heights on the based map. The indicative 15m wide green line was the ecological corridor reserved between the housing site and Cape Collinson Road for movement of wild animals living there. The white lines in the slope greening area were the berms of the cut slope, which would be steep at some 50 degree and was not feasible for tree planting and might be grassed.

59. A Member supplemented that the skateboard ground might not be suitable for transplanting of the *Artocarpus hypargyreus* (白桂木) which was a forest tree. The project

team should liaise with the Agriculture, Fisheries and Conservation Department for planting the same species of tree somewhere else. For other sites on Hong Kong Island suitable for off-site tree compensation, the project team could consider the areas in Yuk Kwai Shan (Mount Johnston) and Ap Lei Chau (the slope behind the service reservoir near Horizon Plaza and the area down to the Sandbar between Yuk Kwai Shan and Ap Lei Pai).

60. In response to R1/C1's enquiry, the Secretary clarified that in accordance with established practice, the Secretariat had uploaded the Paper to the Board's website one week before the meeting and had provided a link to R1/C1 to access the Paper but there might be some technical issues affecting access to the Paper. The Chairperson said that the Secretariat would look into the matter and would provide assistance to R1/C1 outside the meeting if needed.

61. As Members had no further questions to raise, the Chairperson said that the hearing procedures for the presentation and Q&A sessions had been completed. The Board would further deliberate on the representation and comment in closed meeting and inform the representer/commenter of the Board's decision in due course. The Chairperson thanked the representer/commenter and the government's representatives for attending the meeting. They left the meeting at this point.

[Professor Bernadette W.S. Tsui, Mr Stephen L.H. Liu and Dr Venus Y.H. Lun left the meeting during the Q&A session.]

### Deliberation Session

62. A Member said that the information on ecological impacts and mitigation measures covered in the feasibility study for the rezoning was insufficient. Whilst not objecting to the amendment (Item A), it was not desirable for a development to adopt a very low tree compensation ratio (i.e. felling of more than 1,000 trees but only compensating some 100 odd trees). There was also no information on enhancing biodiversity nor details of the appropriate mitigation measures. Whilst there was a housing need, it should not compromise or significantly affect the environment without sufficient compensation.

63. The Chairperson said that it might be unavoidable to affect trees in the development process particularly for those involving "GB" zone. The 117 trees to be planted within the

housing site mentioned in the presentation might be a conservative figure subject to detailed design by HD. The project team had noted Members' views and would try to maximise the greening and tree compensation at detailed design stage and would explore the sites suggested by the Member for off-site tree compensation. For Members' information, the Government had felled 86,000 trees in the past 10 years for development but had replanted 5 million trees within the same period. The Government was considering a pilot tree bank scheme. Tree compensation at 1:1 ratio was less easy to achieve in urban built-up areas, but with the provision of open space at a higher standard of 3.5m<sup>2</sup> per person in new development areas such as the Northern Metropolis, there would be more opportunity to achieve higher tree compensation ratio and address the biodiversity issue.

64. The same Member clarified that 90% of replanted trees in the past 10 years were planted in country parks for compensation for the loss of trees due to hill fire. According to the current practice/policy, the Government had the responsibility to replant the trees affected by development and the 1:1 compensation ratio by girth should be a minimum requirement. The Secretary supplemented that the relevant technical circular stated that tree compensation should be at a ratio of not less than 1:1 by number as far as practicable.

65. In response to the same Member's question on the ecological assessment and proposed ecological mitigation measures for the proposed housing development, the Secretary said that there was an assessment on ecology in the technical report of the EFS attached to the MPC paper for the proposed OZP amendments. According to paragraphs 7.72 and 7.73 of the said report, two natural habitats were found near the Amendment Item A site to be important ecological resources. One was the natural watercourses to the west, and the other was the mixed woodland to the south, and those areas had been excluded from the public housing site. It was anticipated that the loss of associated vegetation and flora of conservation importance associated with the mixed woodland habitat would occur with the proposed development. Appropriate mitigation measures had been recommended to minimise and/or compensate for the adverse impacts, such as compensatory planting and preservation/transplantation of flora of conservation importance where possible, as well as adoption of phasing and general good site practice during construction stage.

66. Some Members expressed the following views and concerns on Amendment Item A:

- (a) the visual and amenity impacts, and slope treatment with proper greening for the project should be properly addressed;
- (b) the project team should take note of the principle to enhance biodiversity and urban forestry at detailed design stage and should try to preserve the *Ficus virens* (大葉榕) in the layout as far as practicable; and
- (c) the Government should pioneer urban forestry in their projects, instead of merely compensation based on the number of trees felled.

67. In response to a Member's suggestion to request the project team to re-consider the layout and tree compensation proposal and report back to the Board, Mr Ivan M.K. Chung, Director of Planning, said that the "GB" review had gone through various stages. The stage one review covered the "GB" sites already de-vegetated or degraded and the second stage review focused on "GB" at the urban fringe with the readily available infrastructure. The Amendment Item A site was the subject of the latter review. Development in those "GB" areas would unavoidably lead to tree felling, and a balance had to be struck taking into account a host of planning considerations. While the main consideration at the rezoning stage was on land uses and major development parameters, he agreed with Members that the development could be further improved at detail design stage. Members' views could be suitably incorporated in the planning brief for the public housing development and/or Explanatory Statement of the OZP to guide the development.

68. The Chairperson concluded that Members had no further comment on the amendments and generally agreed that the OZP should not be amended to meet the adverse representation (R1) and that all grounds of the representation and comment had been addressed by the departmental responses as detailed in the Paper and the presentations and responses made by the government representatives at the meeting. Members' views in paragraph 66 above would be conveyed to the project team after the meeting for follow-up and be incorporated in the planning brief as appropriate to guide the detailed design of the development. For the tree bank proposal, there would be a continuous dialogue among the Development Bureau, relevant government departments and experts in the field.

69. After deliberation, the Town Planning Board (the Board) decided not to uphold R1

and considered that the draft Chai Wan Outline Zoning Plan (OZP) should not be amended to meet the representation for the following reasons:

- “(a) the Government has been adopting a multi-pronged approach to increase housing land supply, including carrying out review of “Green Belt” sites on an on-going basis. An Engineering Feasibility Study comprising technical assessments on the environmental, ecological, visual, air ventilation, etc. impacts, have been conducted and confirmed that there is no insurmountable technical problem and no unacceptable adverse impacts. The development intensity and building height of the proposed public housing development at the Item A site are considered appropriate. It is considered suitable to rezone the Item A site as “Residential (Group A)” for proposed public housing development; and
  
- (b) to cope with the rising demand for welfare services, the proposed public housing development at the Item A site would include the provision of elderly and mentally handicapped persons services, equivalent to about 5% of the attainable domestic gross floor area.”

70. The Board also agreed that the draft OZP, together with its Notes and updated Explanatory Statement, was suitable for submission under sections 8(1)(a) and 29(8) of the Town Planning Ordinance to the Chief Executive in Council for approval.

[Mr Lincoln L.H. Huang left the meeting and Mr Alan K.L. Lo rejoined the meeting at this point.]

## **Sha Tin, Tai Po & North District**

### **Agenda Item 5**

[Open Meeting (Presentation and Question Sessions only)]

Review of Applications No. A/NE-LT/750 to 753

Proposed Houses (New Territories Exempted House (NTEH) - Small House) in “Agriculture” Zone, Lots 1014 S.C, 1015 S.C, 1014 S.D, 1015 S.D, 1014 S.F, 1015 S.F, 1014 RP and 1015 RP in D.D. 19, Lam Tsuen San Tsuen, Tai Po

(TPB Paper No. 10948)

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[The item was conducted in Cantonese.]

### **Presentation and Question Sessions**

71. Members noted that the four review applications each for a proposed NTEH – Small House were similar in nature and the application sites were located in close proximity to one another within the same “Agriculture” zone, and agreed that they could be considered together.

72. The following representative of the Planning Department (PlanD) was invited to the meeting at this point:

Ms Margaret H.Y. Chan - District Planning Officer/Shan Tin, Tai Po  
and North District (DPO/STN)

73. The Chairperson extended a welcome and informed Members that the applicants and their representative had indicated that they would not attend the meeting. She then invited PlanD’s representative to brief Members on the review applications.

74. With the aid of a PowerPoint presentation, Ms Margaret H.Y. Chan, DPO/STN, briefed Members on the background of the review applications including the application sites (the Sites) and the surrounding areas, the applicants’ proposals and justifications, departmental and public comments, the decisions of the Rural and New Town Planning Committee (RNTPC) of the Town Planning Board (the Board), and planning considerations and assessments as detailed in TPB Paper No. 10948 (the Paper). As the applicants had not submitted any written

representation in support of the review applications, and there had been no major change in planning circumstances since the consideration of the s.16 applications, PlanD maintained its previous view of not supporting the applications.

75. As the presentation of PlanD's representative had been completed, the Chairperson invited questions from Members.

[Mr Paul Y.K. Au rejoined the meeting at this point.]

76. Members had no question to raise. The Chairperson thanked PlanD's representative for attending the meeting. She left the meeting at this point.

#### Deliberation Session

77. The Chairperson remarked that the applicants had not submitted any written representation in support of the review applications and did not attend review hearing. Given that there had been no major change in planning circumstances since the consideration of the applications by the RNTPC, Members agreed with the decisions of the RNTPC and that the review applications should be rejected.

78. After deliberation, the Board decided to reject each of the application for the following reasons:

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention;
- (b) the proposed development does not comply with the Interim Criteria for consideration of application for New Territories Exempted House/Small House in the New Territories in that the applicants fail to demonstrate that the

proposed developments located within water gathering ground would not cause adverse impact on the water quality in the area; and

- (c) land is still available within the “Village Type Development” (“V”) zones of San Tsuen Lo Wai and Lam Tsuen San Tsuen which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zones for more orderly development pattern, efficient use of land and provision of infrastructures and services.”

### **Agenda Item 6**

[Open Meeting]

### **Any Other Business**

[The item was conducted in Cantonese.]

79. There being no other business, the meeting was closed at 5:50 p.m.